



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Cook Lubbock and Co
Storefield Lodge Farm
Rushton
Nr. Kettering
Northants
NN14 1QT

Name and address of agent (if any)

Cleansing Services Group Limited
Grange Road
Botley
Southampton
Hampshire
SO30 2GD

Part I - Particulars of application

Date of Application

22nd January 2004

Application No.:

KE/04/0079C

Particulars and location of development

Variation of Condition No.2 of KE/94/326C and Conditions Nos.3(b) and 12 of KE/89/714C to reconfigure the operations at the site, alter the phasing and provide a different restoration profile.

Storefield Lodge Landfill Site, Oakley Road, Rushton

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

1. **CONDITION NO.2 OF PLANNING PERMISSION KE/94/326C NOW READS AS FOLLOWS:-**

The final levels of the tipped areas shall conform with the submitted Drawings Nos. RLPRE1 "Pre-Settlement Contours" and RLPOST1 "Post-Settlement Contours" both dated October 03.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required.

2. CONDITION NO.3(b) OF PLANNING PERMISSION KE/89/714C NOW READS AS FOLLOWS:-

Waste disposal operations shall be confined to the areas for infilling and phasing as shown on the submitted Drawing No.2 "Proposed Infill and Phasing Boundaries" dated December '03.

3. CONDITION NO.12 OF PLANNING PERMISSION KE/89/714C NOW READS AS FOLLOWS:-

- (i) The final levels of the tipped areas immediately upon restoration of the site and the re-spreading of topsoil shall be in accordance with the submitted Drawing No.RLPRE1 "Pre-Settlement Contours" dated October '03.
- (ii) The final levels of the tipped areas after settlement shall be in accordance with the submitted Drawing No.RLPOST1 "Post-Settlement Contours" dated 'October '03

With natural drainage to the perimeter of the site without backfalls or ponding all to the satisfaction of the County Planning Authority.

4. With the exception of Condition No. 2 (KE/94/326C) and Conditions Nos. 3(b) and 12 (KE/89/714C) as amended by this planning permission all the remaining planning conditions contained in planning permissions KE/94/326C and KE/89/714C shall still apply. (Copies of KE/94/326C and KE/89/714C are attached).

The reasons for the conditions are:-

- 1,3. In the interests of the proper restoration of the site.
2. In the interests of the proper phasing of the site.
4. In the interests of clarity and for the avoidance of doubt.

SUMMARY OF REASONS FOR APPROVAL OF THIS APPLICATION

The development is considered to be acceptable and in accordance with Policy W3 of the Northamptonshire County Structure Plan 1996 – 2016. The landform proposed is considered to be acceptable and will not adversely impact upon the surrounding area.

Date 21st April 2004 Signed G. P. Watson

Authorised to sign on behalf of the
County Planning, Transportation and
Environment Officer

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
 - (a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.